

**A SUBSTITUTE ORDINANCE
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

TO AUTHORIZE THE ACQUISITION OF REAL PROPERTIES TO CONSTRUCT A NEW FIRE STATION NUMBER 28 LOCATED AT HOLLYWOOD ROAD NW AND FELKER WARD STREET NW LOCATED IN LAND LOT 252, OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA; IN AN AMOUNT NOT TO EXCEED AN ACQUISITION COST OF \$1,629,515.55; SAID COST ASSOCIATED WITH THE ACQUISITION SHOULD BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER: 1C46 573001 W11C022892AC (2002 BOND PROJECT FUND - FAC BUILDING -FIRE STATION 28 CONSTRUCTION) - \$1,267,823.05; 1C44 574001 W11C022892AK (2001 BOND PROJECT FUND - FAC.OTHER THAN BUILDINGS - FIRE STATION 28) - \$361,692.50; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") Department of Fire Services has identified a site to construct a new fire station to replace the existing structure, because the current fire station can no longer accommodate its needs due to structural problems and other deficiencies; and

WHEREAS, properties have been identified, as shown in exhibit "B", located on Hollywood Road NW and Felker Ward Street NW, for acquisition purposes to construct the new facility; and

WHEREAS, the Fire chief recommends construction of a new fire station to replace the existing building as part of the approved Fire Station Replacement Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

Section 1. That the Chief Procurement officer or Consultant is hereby authorized to obtain the title reports, appraisal reports, land surveys, legal descriptions, environmental reports and to negotiate with the affected property owners to acquire the property interests needed to construct a new facility for fire station number 28 at Hollywood Road NW and Felker Ward Street, NW located in Land Lot 252, the 17th district, Fulton County, Georgia.

Section 2. That the requirements of sections 2-1541 (d) and 2-1545 (d) of the Procurement and Real Estate Code which require further authorization of Council for acquisition of the properties described in the ordinance are waived.

Section 3. That the City's consultant and their sub consultants for real estate acquisition are authorized to settle those acquisitions of property for an amount not to exceed ten percent (10%) above the estimated just compensation. The Chief Procurement Officer is authorized to administratively settle those acquisitions that the City's consultants cannot otherwise acquire for an amount not to exceed twenty percent (20%) above the estimated just compensation of affected properties without further authorization of City Council.

Section 4. That the City Attorney is hereby authorized, where the chief procurement Officers' negotiations with the property owners are unsuccessful, to institute necessary legal action through condemnation or any order method provided by law to obtain fee simple title to the properties.

Section 5. That the cost associated with the acquisition of the properties shall be paid from Fund Account and Center Numbers: 1C46 573001 W11C022892AC (2002 Bond Project Fund – Fac. Buildings – Fire Station 28 Construction) - \$1,267,823.05 and 1C44 574001 W11C022892AK (2001 Bond Project Fund - Fac. other Than Buildings – Fire Station 28) - \$361,692.50.

Section 6. That all ordinances and parts of ordinances in conflict herewith are hereby waived.